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December 20, 2007

VIA HAND DELIVERY

The Honorable Joseph J. Farnan, Jr.
United States District Court Judge
J. Caleb Boggs Federal Building
844 North King Street
Room 4124
Lockbox 27
Wilmington, Delaware 19801

Re: ***OHC Liquidation Trust v. Credit Suisse, et al. (In re Oakwood Homes Corp.),***
Adversary Proceeding No. 04-57060 (PJW); Civil Case No. 07-cv-00799-JJF.

Dear Judge Farnan:

We represent the OHC Liquidation Trust (the "**Trust**") in connection with the above-referenced adversary proceeding (the "**Adversary Proceeding**") and the "Plaintiff's Motion to Withdraw the Reference and to Set Dates for a Pre-Trial Conference and Jury Trial Before the District Court" (the "**Motion**"), which Motion was initially filed on November 19, 2007 and was recently assigned to this Court under the above-referenced civil case number.

As explained in the Motion, the Trust is an entity created to liquidate and distribute the remaining assets of bankruptcy estates which were created by bankruptcy cases filed over five years ago. The Adversary Proceeding is the main remaining matter in the administration of those estates, and its resolution should allow the Trust to begin winding-down the Oakwood estates and making final distributions to unsecured creditors.

As further explained in the Motion, the Adversary Proceeding has been actively litigated before the United States Bankruptcy Court for the District of Delaware, Walsh, J. (the "**Bankruptcy Court**") and is now ready to proceed to trial. For the reasons cogently developed in the Bankruptcy Court's memorandum opinion of November 15, 2007 (the "**Jury Trial Opinion**"), the Trust has a Seventh Amendment right to a jury trial as to certain counterclaims against the defendants in the Adversary Proceeding (the "**Defendants**"), which right necessitates a withdrawal of the bankruptcy reference under 28 U.S.C. § 157(d).

Briefing on the Motion has been completed, and the matter is now ready for the Court's consideration.

For the convenience of the Court, we have enclosed a tabbed "Record Appendix" binder containing copies of the following documents from the Adversary Proceeding's docket,¹ each of which is cited in the Motion:

1. The Objection/Counterclaims [Docket No. 1]
2. The Scheduling Order [Docket No. 42]
3. "Memorandum Opinion" and "Order," dated March 31, 2006 [Docket Nos. 127-128]
4. The Answer [Docket No. 132]
5. The 2006 SCR [Docket No. 159]
6. "Certification of Counsel," dated March 29, 2007 [Docket No. 172]
7. "Order Approving Joint Stipulation Concerning Expert Discovery Deadlines," dated March 30, 2007 [Docket No. 173]
8. "Notice of Service," dated April 30, 2007 [Docket No. 175]
9. "Certification of Counsel," dated June 14, 2007 [Docket No. 178]
10. "Order Approving Second Joint Stipulation Concerning Expert Discovery Deadlines," dated June 15, 2007 [Docket No. 179]
11. The Letter Ruling [Docket No. 194]
12. The 2007 SCR [Docket No. 195]
13. "Motion for Determination of Plaintiff's Rights to a Jury Trial," dated October 5, 2007 [Docket No. 198]
14. "Order Regarding Briefing Schedule and Trial Deadlines," dated October 9, 2007 [Docket No. 200]
15. "Defendants' Response to Motion for Determination of Plaintiff's Rights to a Jury Trial," dated October 12, 2007 [Docket No. 201]
16. "Reply Brief in Support of the Motion for Determination of Plaintiff's Rights to a Jury Trial," dated October 17, 2007 [Docket No. 203]

¹ The names listed below for certain documents correspond to the Motion's defined terms for such documents.

17. "Transcript of Status Conference Before the Honorable Peter J. Walsh United States Bankruptcy Judge" [Docket No. 206]
18. The Jury Trial Opinion [Docket No. 207]

We greatly appreciate the Court's consideration of the Motion.²

Respectfully submitted,

Katty S. Kell. For MKE

Marla Rosoff Eskin, Esq.

Encl.

cc: VIA ELECTRONIC MAIL (w/o enclosures)
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² For the Court's convenience, we also note that the Defendants' motion for leave to take an interlocutory appeal of the Jury Trial Opinion under 28 U.S.C. § 158(a), which appears to have been fully briefed, has also been assigned to this Court for its consideration as Civil Case No. 07-mc-00215-JJF.